

0-10-09

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING HERITAGE PARK CIRCLE  
URBAN SERVICE DISTRICT NO. 1 OF NORTH LITTLE ROCK,  
ARKANSAS; DECLARING AN EMERGENCY; AND FOR  
OTHER PURPOSES.**

WHEREAS, there has been filed with the City Clerk of the City of North Little Rock, Arkansas, a petition (the "Petition") purporting to be signed by more than twenty-five percent (25%) of the electors to be affected and situated within the territory described on Exhibit "A" which is attached hereto and incorporated herein by this reference (the "Property"), praying that an urban service district be established for the purposes set forth hereinbelow (*a summarized list of Heritage Park Property Owners and Organizers is attached as Exhibit C*) ; and

WHEREAS, after due notice as required by law, the City Council of the City of North Little Rock, Arkansas (the "City Council ") has heard all parties desired to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That more than twenty-five percent (25%) of the electors located within the Property signed the Petition (see Exhibit "C" attached hereto representing a list of those signing the Petition filed with the City Clerk), and there is hereby established an urban service district (the "District") under Chapter 95 of Title 14, Subtitle 5 of the Arkansas Code of 1987 Annotated (the "Act") within the Property, for the purposes of maintaining, repairing and replacing any common area improvements in and around Heritage Park Circle in North Little Rock, Arkansas; that these common area improvements include, but are not limited to, the brick walls located at the North Hills Boulevard and McCain Boulevard entrances to Heritage Park Circle, any common green areas, and any common flower beds located within the Proposed District. A map containing the boundaries of the District is marked Exhibit "B" and affixed hereto.

The District shall be known as "Heritage Park Circle Urban Service District No. 1 of North Little Rock, Arkansas."

That Mr. E. A. Ostedgaard of 1 Heritage Park Circle, North Little Rock, AR 72116, Ms. Patsy Pack of 30 Heritage Park Circle, North Little Rock, AR 72116, Mr. Eddie Powell of 24 Heritage Park Circle, North Little Rock, AR 72116, Mr. Bob Osborne of 7 Heritage Park Circle, North Little Rock, AR 72116 and Dr. Earl Smith of 48 Heritage Park Circle, North Little Rock, AR 72116, are hereby appointed as the initial members of an administrative board (the "Administrative Board") to aid the City in the administration of the District as provided in the Petition; that the successors to the initial Administrative Board shall be selected as set forth in the Petition.

SECTION 2: That a service charge shall be made to the households within the District which shall be an equal amount for each individual residential household; that each year the Administrative Board shall meet to determine the aggregate amount needed to achieve the above mentioned purposes of the District; that the billing

frequency for service charges shall be monthly; that the aggregate amount needed will be divided by the total number of households located inside the District (there are 41 households in the Proposed District), to determine the yearly service charge for each household; that the yearly service charge shall then be divided by twelve (12) to determine the monthly service charge applicable to each individual household within the District.

That the estimated annual cost of the services provided by the District is \$10,250.00.

That the service charges shall be collected by the City of North Little Rock through agreement with Central Arkansas Water and shall be an addition to the monthly water and sewer bill collected by Central Arkansas Water and then remitted to the City of North Little Rock to be allocated to a fund for the exclusive benefit of the District, to begin as soon as administratively feasible following the passage of this Ordinance and in accordance with the Act; and that the Mayor of the City of North Little Rock is authorized to execute such agreement or agreements with Central Arkansas Water.

That the service charges shall be levied for a period of ten (10) years from the date of the adoption of this Ordinance establishing the District and will not continue thereafter except upon a new petition from electors in the District and by passage of a new authorizing ordinance by the City of North Little Rock pursuant to the provisions of the Act.

SECTION 3: Any ordinance or parts of ordinances that are in conflict herewith are hereby repealed to the extent they conflict with this Ordinance.

SECTION 4: It has been found, and it is hereby declared, by the City Council that there is an immediate need within the City of North Little Rock, Arkansas, for the improvements described above in this Ordinance and that the levy of the annual charge for the assessments by the District is the only means whereby these improvements may be accomplished; THEREFORE, an emergency is declared, and this Ordinance, being necessary for the preservation of public peace, health and safety, shall be in full force and effect upon its passage and approval.

PASSED:

APPROVED:

SPONSOR:

\_\_\_\_\_  
Mayor Patrick H. Hays

\_\_\_\_\_  
Mayor Patrick H. Hays

ATTEST:

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
C. Jason Carter, City Attorney

FILED 11:30 A.M. \_\_\_\_\_ P.M.

BY City Atty - Carter

DATE 2-2-10

Diane Whitbey, City Clerk and Collector  
North Little Rock, Arkansas

RECEIVED by Sobhu Dudley

PREPARED BY THE OFFICE OF THE CITY ATTORNEY  
AND HARDIN & GRACE/BH